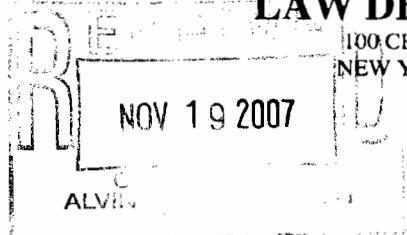


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November 19, 2007

BY FAX

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: San San Fung v. City of New York, et al., 07 CV 8797 (AKH)

Your Honor:

I am the Assistant Corporation Counsel assigned to the defense of this matter on behalf of the City of New York. In his complaint, plaintiff San San Fung alleges that New York City Police Officers unlawfully arrested and maliciously prosecuted her. Defendants request that their time to answer, move or otherwise respond to the complaint be extended from the current due date of November 6, 2007 to January 5, 2008.¹ We contacted plaintiff's counsel and he consents to this request.

There are several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need this additional time to investigate the allegations of the complaint. It is our understanding that the records of the underlying criminal action, including police records, may have been sealed pursuant to New York Criminal Procedure Law section 160.50. Therefore, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of sealed records so that defendant can access the information, properly assess the case, and respond to the complaint. Furthermore, because plaintiff has alleged injuries as a result of the events complained of, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of medical records, limited, at this

¹ Upon information and belief, the individual identified in the caption of the complaint as Detective Bennie Vance was served with a copy of the summons and complaint on or about October 30, 2007. However, as of this date, no request for representation has been received with respect to him. Without appearing on his behalf, it is respectfully requested that the same extension be granted to him in order to ensure that his defenses are not jeopardized while representation issues are being decided. Furthermore, I respectfully apologize for the untimeliness of this application. Furthermore, a review of the file indicates that the City of New York was served on or about October 17, 2007. Accordingly, this application should have been made on or before Tuesday, November 6, 2007. However, I was only recently assigned this case and the City was not working yesterday, November 6, 2007, and therefore respectfully request the Court entertain this application notwithstanding its untimeliness.

juncture, to medical records concerning treatment received as a result of the alleged incident, so that defendants can properly assess the case and respond to the complaint.

No previous request for an extension has been made by defendant. Thank you for your consideration of this request.

Respectfully submitted,



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